



## ENERGY AND ENVIRONMENT CABINET

**Steven L. Beshear**  
Governor

**Leonard K. Peters**  
Secretary

**Department for Natural Resources**  
**Office of Mine Safety and Licensing**  
1025 Capital Complex  
Frankfort, KY 40601  
Phone (502) 573-0140  
Fax (502) 573-0152  
[www.omsl.ky.gov](http://www.omsl.ky.gov)

**Carl E. Campbell**  
Commissioner

**Johnny Greene**  
Executive Director

### MEMORANDUM

**TO:** Secretary Leonard K. Peters  
Commissioner Carl E. Campbell  
OMSL District Supervisors  
MSHA District Managers

**FROM:** Johnny Greene, Executive Director

**DATE:** August 10, 2010

**RE:** Enclosed Coal Mining Accident Report

In accordance with KRS 351.070 (14), I am forwarding to you a copy of the Office of Mine Safety and Licensing's findings on the following accident:

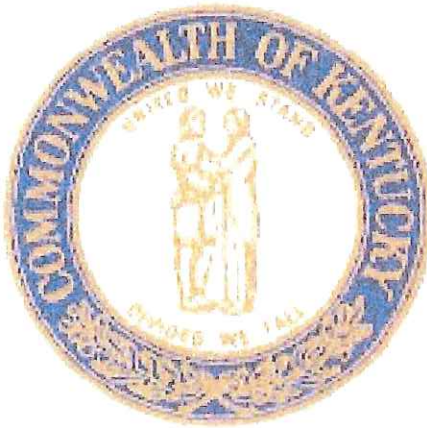
### FATAL ACCIDENT

- Lone Mountain Processing, Inc., Clover Fork No. 1, Harlan District, June 16, 2010  
**DECEASED:** Jimmy R. Carmack

If you have any questions or comments, please feel free to contact me.

JG/js

Enclosure



## **OFFICE OF MINE SAFETY AND LICENSING**

**DEPARTMENT FOR NATURAL RESOURCES  
ENERGY AND ENVIRONMENT CABINET**

### **FATAL ACCIDENT REPORT**

## **LONE MOUNTAIN PROCESSING, INC. CLOVER FORK NO. 1**

**STEVEN L. BESHEAR, GOVERNOR  
COMMONWEALTH OF KENTUCKY**

**LEONARD K. PETERS, SECRETARY  
ENERGY AND ENVIRONMENT CABINET**

**CARL E. CAMPBELL, COMMISSIONER  
DEPARTMENT FOR NATURAL RESOURCES**

**JOHNNY GREENE, EXECUTIVE DIRECTOR  
OFFICE OF MINE SAFETY AND LICENSING**

**1025 CAPITAL CENTER DRIVE  
FRANKFORT, KY 40602-2244**



**FALL OF RIB**

**HARLAN DISTRICT**

**LONE MOUNTAIN PROCESSING, INC.  
CLOVER FORK NO. 1**

**STATE FILE NO. 18549**

**DECEASED: JIMMY R. CARMACK**

**ACCIDENT REPORT**  
**COMMONWEALTH OF KENTUCKY**  
**OFFICE OF MINE SAFETY AND LICENSING**  
**P.O. BOX 2244**  
**FRANKFORT, KY 40602-2244**  
**PHONE: (502) 573-0140    FAX: (502) 573-0152**

☒ Chargeable

☒ Fatal

Company: Lone Mountain Processing, Inc. Mine Name: Clover Fork Mine No. 1

Mine Location: Holmes Mill County: Harlan File No. 18549

Daily Production: 8,000 Tons Name of Coal Seams: Owl and Darby

Seam Thickness: Total height – 15 feet and 6 inches – coal and rock mixed

Company Official: Thurman Halcomb

Address: Drawer C, Saint Charles, Virginia 24282

No. of Employees: 116 Type of Mine: URC

Workers Compensation Carrier: Self-Insured

\*\*\*\*\*

Name of Victim: Jimmy R. Carmack ☒ Male ☐ Female

Miner I.D. No.: \_\_\_\_\_ ☒ Certified Miner

Age: 42 Marital Status: Yes Dependents: Wife Yes Children 0 Other N/A

Shift accident occurred on: Second shift

Occupation when injured: Section Foreman

Regular occupation: Section Foreman

Experience at this occupation: 11 years Experience at this mine: 7 months

Total mining experience: 17 years

Training Record: Annual – 10/24/2009 Instructor who trained: David W. Howard

Date and time of accident: June 16, 2010 at 3:43 PM

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Date and time OMSL was notified: June 16, 2010 at 3:55 PM

By whom (title and affiliation): Roger Bowman, Maintenance Foreman

Date and time of investigation: June 16, 2010 at 3:55 PM

Date of interview statement session: June 17, 2010 at 10:00 AM

Name of facility victim was taken to: Harlan Appalachian Regional Hospital

Coroner: Philip Bianchi County: Harlan

Address: PO Box 148, Harlan, Kentucky 40831 Phone No.: 606-573-3030

Victim's activity at the time of accident: The victim was standing in the No. 2 entry, observing an inby unstable coal rib pillar, when a section of a coal rib fell from behind him, struck and dislodged a roof support (jack), and the metal roof jack struck the victim as it fell to the mine floor.

Other factors contributing to this accident: The roof jack safety chain (screw pin), which was attached to a nearby roof bolt bearing plate, broke and allowed the jack to fall.

Was first-aid rendered? ☒ Yes ☐ No

Was person administering aid a MET/EMT? ☐ Yes ☒ No

Classification of accident: Fall of Rib

Name and Certificate Number of: Mine Foreman: Donnie Feltner -

Section Foreman: Jimmy R. Carmack Superintendent: David Webb

\*\*\*\*\*

Average thickness of immediate roof: 2 to 13 inches of shale

If draw rock, does it come with the coal? Yes

Width of places: 20 feet Entries: 20 feet Crosscuts: 20 feet

Note: Attached is a copy of the relevant page/pages from the approved roof control plan.

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**MEMBERS OF THE STATE INVESTIGATING COMMITTEE**

<b>NAMES</b>	<b>TITLE</b>	<b>REPRESENTING</b>
Tracy Stumbo	Chief Accident Investigator	OMSL
Tim Fugate	Accident Investigator	OMSL
Greg Goins	Accident Investigator	OMSL
John Patterson	Inspector	OMSL
Todd Middleton	Inspector	OMSL

**OTHER PERSONS PARTICIPATING IN THE INVESTIGATION**

<b>NAMES</b>	<b>TITLE</b>	<b>REPRESENTING</b>
John Boylen	Investigator	MSHA
Sam Creasey	Supervisor	MSHA
Jim Lundy	Investigator	MSHA
William Gray	Tech Support	MSHA

**PERSONS THAT WERE PRESENT DURING THE INTERVIEWS**

<b>NAMES</b>	<b>TITLE</b>	<b>REPRESENTING</b>
Tim Fugate	Accident Investigator	OMSL
Todd Middleton	Inspector	OMSL
John Boylen	Accident Investigator	MSHA
Jim Lundy	Inspector	MSHA
Brian Winfrey	Solicitor	MSHA

**LONE MOUNTAIN PROCESSING, INC.  
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<b>*Marco Rajkovich</b>	<b>Attorney</b>	<b>Lone Mountain Processing</b>
<b>**Jim Vicini</b>	<b>Technical Advisor</b>	<b>Lone Mountain Processing</b>

\*Marco Rajkovich was the attorney for the interviewees.

\*\*Jim Vicini was the technical advisor to the attorney.

**PERSONS INTERVIEWED**

<b>NAMES</b>	<b>TITLE</b>	<b>REPRESENTING</b>
<b>Paul Stanton</b>	<b>Electrician</b>	<b>Lone Mountain Processing</b>
<b>Jay Partin, III</b>	<b>Mobile Roof Support</b>	<b>Lone Mountain Processing</b>
<b>Donnie Taylor</b>	<b>Shuttle Car Operator</b>	<b>Lone Mountain Processing</b>
<b>Justin L. Guthrie</b>	<b>Continuous Miner Operator</b>	<b>Lone Mountain Processing</b>
<b>Forest Evan Carroll</b>	<b>Shuttle Car Operator</b>	<b>Lone Mountain Processing</b>
<b>Larry Ryan Daniels</b>	<b>Scoop Operator</b>	<b>Lone Mountain Processing</b>
<b>Jonathan E. Pridemore</b>	<b>2<sup>nd</sup> Shift Mine Foreman</b>	<b>Lone Mountain Processing</b>
<b>Billy Wilson</b>	<b>Section Foreman</b>	<b>Lone Mountain Processing</b>
<b>Donald Ray Feltner</b>	<b>1<sup>st</sup> Shift Mine Foreman</b>	<b>Lone Mountain Processing</b>
<b>David Scott Orr</b>	<b>3<sup>rd</sup> Shift Section Foreman</b>	<b>Lone Mountain Processing</b>
<b>Mark Messer</b>	<b>Shuttle Car Operator</b>	<b>Lone Mountain Processing</b>
<b>Adam George Carr</b>	<b>Foreman</b>	<b>Lone Mountain Processing</b>

### **GENERAL MINE INFORMATION**

**Lone Mountain Processing, Inc., Clover Fork No. 1, is an underground mine located at Holmes Mill, in Harlan County, Kentucky. The mine was originally licensed on August 28, 2003.**

**The mine has three (3) sections using a continuous miner with shuttle car haulage. Two (2) of the sections were mining the Owl seam, while the 001 section was simultaneously mining both the Owl and Darby coal seams. The section was retreat mining in five (5) entries.**

**The mine produces approximately eight thousand (8,000) tons of coal per day from the Owl and Darby coal seams. Coal is transported to the surface by conveyor belt to a company owned preparation plant.**

**The mine has one hundred and sixteen (116) employees working five (5) days per week with an extra shift working periodically on Saturday.**

### **CIRCUMSTANCES OF THE ACCIDENT**

**On June 16, 2010, at approximately 3:00 PM, Jimmy R. Carmack reported to work at the Clover Fork No. 1 mine. Carmack was employed as the section foreman of the 001 section on the second shift.**

**Carmack and six (6) co-workers arrived on the section and began the normal mining cycle of retreat mining. The continuous miner was extracting coal in the No. 1 entry. The shuttle car operated by Donnie Taylor was the first to be loaded by Justin Lee Guthrie (continuous miner operator). Taylor was traveling toward the section coal feeder through the No. 1 right crosscut when he saw a section of rib material (rock and coal) that had dislodged and fell, blocking the roadway.**



Carmack was informed about the fallen material and he stopped production, and called for the crew to come to the intersection of the No. 2 entry. The entire crew, with the exception of Paul Stanton (electrician) who was at the tool box, came to the location. Carmack then told Guthrie to bring the continuous miner into the crosscut and remove the section of loose coal rib. Carmack instructed Jay Partin, III ( roof bolter operator) to rebolt the area of loose rib after the fallen material was removed.

While the crew members were discussing how the work would be done, Partin saw the corner of a coal rib dislodge and fall from behind Carmack. The crew ran out of the intersection and Partin said that he heard a metal roof jack fall, but he could not see what had happened because of the dust from the fallen material. When the dust cleared, Partin saw Carmack lying next to a roof jack on the mine floor.

The corner of the right coal rib had dislodged, fell and struck a standing roof jack and the jack struck Carmack as it fell to the mine floor.

Partin went to Carmack and was unable to find a pulse or any signs of life. Carmack was placed on a long spine board, loaded onto a personnel carrier and taken to the surface of the mine.

Carmack was pronounced dead by Philip Bianchi, Harlan County Coroner, at 6:20 PM.

#### **CONCLUSION OF THE STATE INVESTIGATING COMMITTEE**

Jimmy R. Carmack was fatally injured on June 16, 2010, while working at the Lone Mountain Processing Inc., Clover Fork No. 1 mine while performing the duties of section foreman.

Carmack was located near an intersection, directing crew members who were preparing to remove loose rib material from a roadway, when another section of rib

material dislodged and fell from behind him. The dislodged rib struck a nearby metal roof jack and the force of the fallen material broke the safety chain pin, which was attached to the top of the jack and to a roof bolt plate. The metal jack then dislodged, fell and struck Carmack in the head area.

#### **CONDITIONS AT THE ACCIDENT SCENE**

The 001 section was located approximately fourteen thousand (14,000) feet from the mine portal in the No. 4 - north mains. The accident occurred while extracting coal from the Owl and Darby coal seams, in the intersection of the No. 2 entry at survey station (spad) No. 2660.

The mine was in the process of extracting coal from a barrier block to the left of the No. 1 entry. The crew was mining a pillar cut located toward the center of the coal pillar.

The height at the accident scene was fifteen (15) feet and six (6) inches. A rock parting approximately thirty-six (36) inches thick was present between the two (2) coal seams.

The coal ribs had been supported with two (2) sixty (60) inch mechanically anchored roof bolts installed with each row of permanent roof supports. The roof bolts were used with a nine by nine (9 x 9) inch bearing plate. The bolts were installed in the upper coal seam (Owl) and in the rock parting between the two seams.

The coal rib on the outby corner of the No. 2 right crosscut had fallen sometime prior to the occurrence that caused the accident and the rib had not been re-bolted. There had been three (3) metal Heintzmann Corporation roof props (jacks) set near the corner to correct the wide area created by the first rib fall. Two (2) of the roof jacks were set along the right rib of the entry and the jack (that struck the victim) had been set on the corner.

During the accident, two (2) of the three (3) roof jacks dislodged. The fallen roof jack that struck the victim was extended to a length of one hundred and ninety-four and one-quarter ( $194\frac{1}{4}$ ) inches. A mark on the jack indicated that while it was set, it had been extended to a length of one hundred and eighty-nine and one-half ( $189\frac{1}{2}$ ) inches. An eight by eight (8 x 8) inch metal base was present at the top and bottom of the jack. The roof jack had been tightened against the roof with a wooden cap board.

The roof jack had been secured from accidental falling by using a one-quarter ( $\frac{1}{4}$ ) inch grade forty-three (43) high test safety chain. The chain was attached to a jack and to a nearby roof bolt bearing plate with a one-quarter ( $\frac{1}{4}$ ) inch screw shackle pin. The shackle pin had broken during the rib fall and was lying next to the jack on the floor.

A section of the rock parting between the two (2) coal seams came to rest on the roof jack. The section of rock measured sixty-two (62) inches in length by fifty-two (52) inches wide and ranged from ten (10) to twenty (20) inches thick.

#### **CONDITIONS OR CIRCUMSTANCES THAT MAY HAVE CONTRIBUTED TO THIS ACCIDENT**

The 001 section was simultaneously mining both the Owl and Darby coal seams. This method of mining creates great height (15 feet and 6 inches), but allows for more sloughing and fracturing of the coal rib.

The 001 section was retreat mining (extracting pillars), which placed additional weight and stress on the standing pillars.

The outby right corner of the coal pillar in the No. 2 right crosscut had fallen prior to the accident and the area had not been re-bolted, however there were three (3) standing roof supports jacks set in the area to correct the wide entry.

**RECOMMENDATIONS MADE AND DISCUSSED**

- 1. Prior to the accident, the roof control plan did not require the coal ribs to be bolted, however, when mining the Owl and Darby seam simultaneously, the coal ribs shall be supported and maintained.**
- 2. Examine roof and rib conditions and correct any hazards prior to entering the work area.**

**NOTICE OF NON-COMPLIANCE/CLOSURE ORDERS**

- 1. KRS 352.180: EB-40 - Closure order written for the entire mine.**
- 2. KRS 352.201 (1) - Citation No. 1075-025: The roof and ribs of all underground places shall be supported adequately to protect persons from falls.**

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SUBMITTED BY:

  
ACCIDENT INVESTIGATOR

  
CHIEF ACCIDENT INVESTIGATOR

DATE: Aug 4, 2010

APPROVED BY:

  
EXECUTIVE DIRECTOR  
OFFICE OF MINE SAFETY AND LICENSING

DATE: 7-28-2010

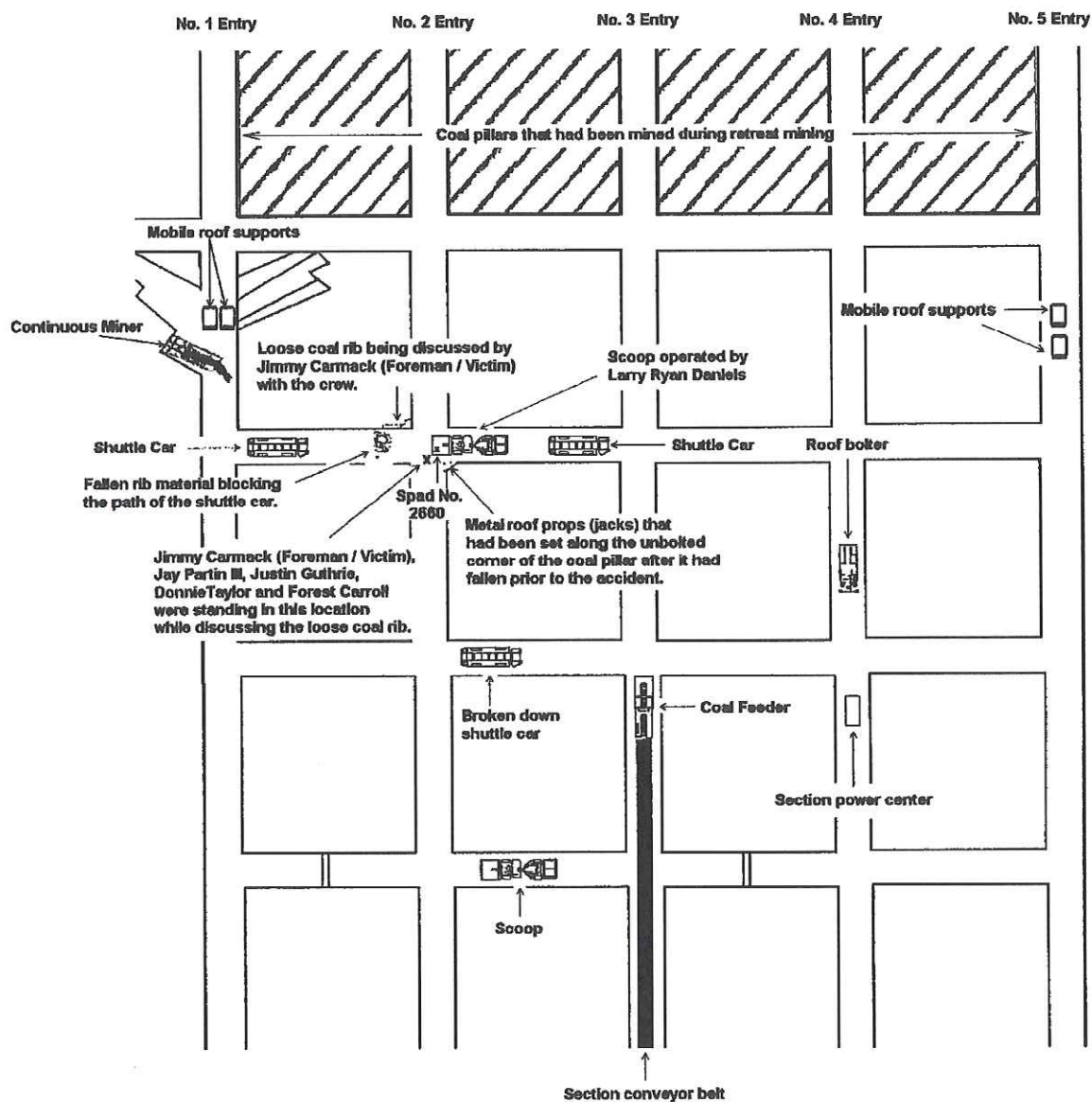
  
COMMISSIONER

DATE: Aug. 2, 2010



**LONE MOUNTAIN PROCESSING, INC.  
MINE NO. - CLOVER FORK NO. 1  
FILE NO. - 18549  
FATAL ACCIDENT**

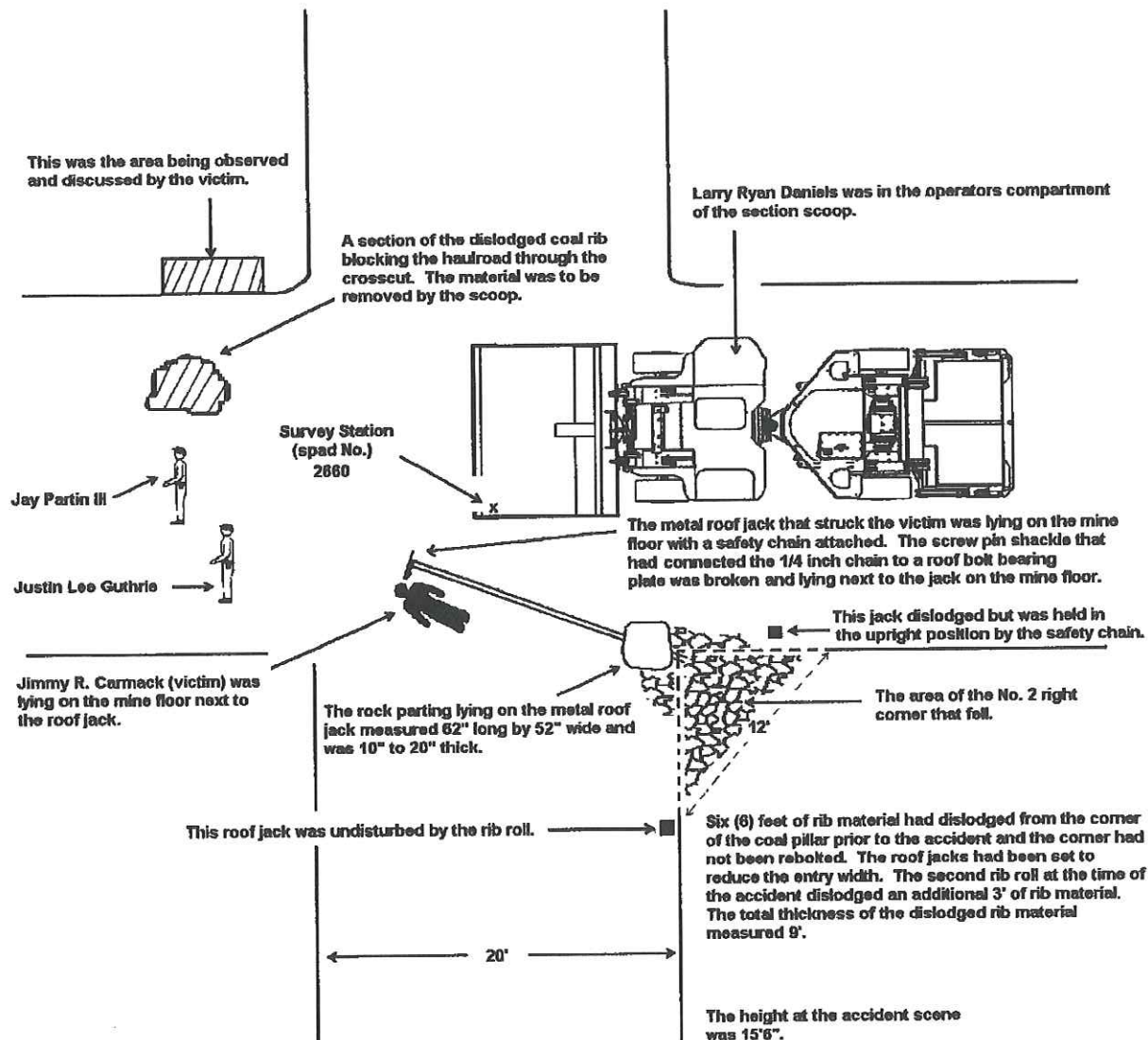
**001 Section  
The Accident Scene - No. 2 Entry**



**Sketch No. 1  
Before The Accident  
Not To Scale**

**LONE MOUNTAIN PROCESSING, INC.**  
**MINE NO. - CLOVER FORK NO. 1**  
**FILE NO. - 18549**  
**FATAL ACCIDENT**

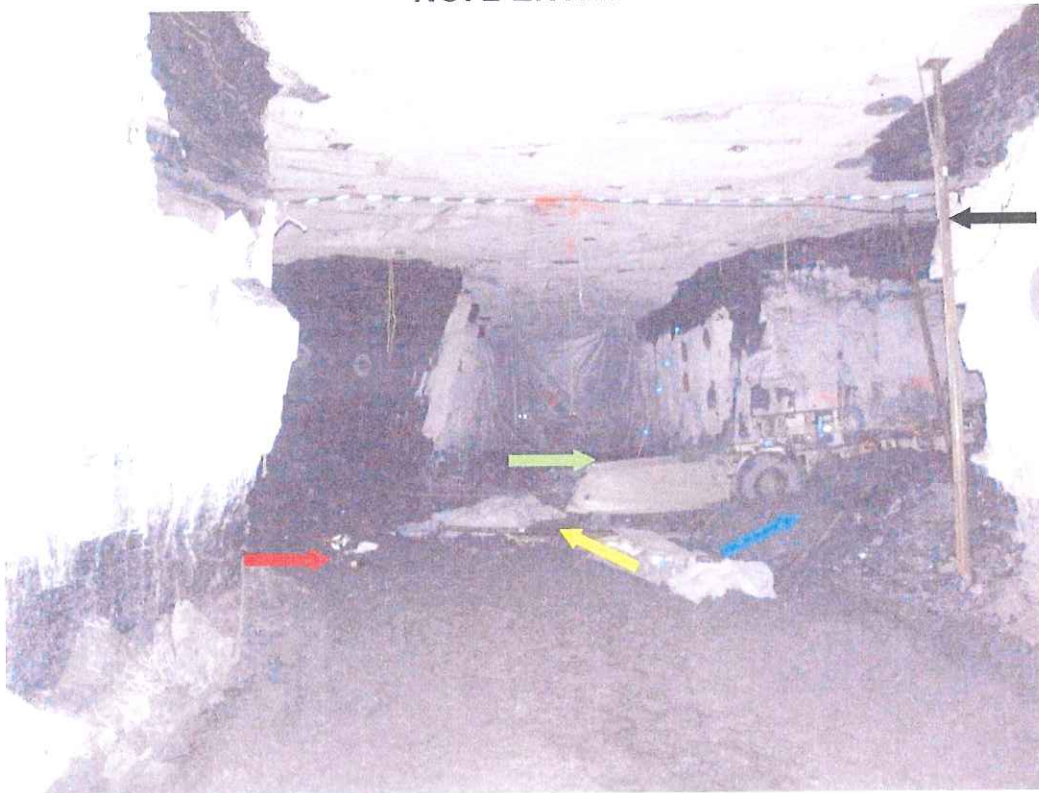
**001 Section**  
**The Accident Scene - No. 2 Entry**



**Sketch No. 2**  
**After The Accident**  
**Not To Scale**

**LONE MOUNTAIN PROCESSING, INC.  
MINE NO. – CLOVER FORK NO. 1  
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**ACCIDENT SCENE  
NO. 2 ENTRY**



**RED ARROW INDICATES THE APPROXIMATE LOCATON  
OF THE VICTIM, JIMMY R. CARMACK**

**BLACK ARROW INDICATES AN UNDISTURBED ROOF JACK**

**YELLOW ARROW INDICATES THE ROOF JACK THAT WAS DISLODGED,  
FELL AND STRUCK THE VICTIM**

**GREEN ARROW INDICATES A SCOOP BUCKET**

**BLUE ARROW INDICATES THE RIB MATERIAL (COAL AND ROCK)  
THAT FELL FROM THE CORNER OF THE PILLAR**

**LONE MOUNTAIN PROCESSING, INC.  
MINE NO. - CLOVER FORK NO. 1  
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FATAL ACCIDENT REPORT**

**ACCIDENT SCENE  
NO. 2 ENTRY**



**RED ARROW INDICATES THE APPROXIMATE LOCATON  
OF THE VICTIM, JIMMY R. CARMACK**

**BLACK ARROW INDICATES AN UNDISTURBED ROOF JACK**

**WHITE ARROW INDICATES THE ROOF JACK THAT WAS DISLODGED,  
FELL AND STRUCK THE VICTIM**

**GREEN ARROW INDICATES A SCOOP BUCKET**

**BLUE ARROW INDICATES THE RIB MATERIAL (COAL AND ROCK)  
THAT FELL FROM THE CORNER OF THE PILLAR AND DISLODGED THE JACK**

**YELLOW ARROWS INDICATE RIB SUPPORT (ROOF BOLTS)**